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District Counsel

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE
REGIONAL MEDICAL CENTER,

Debtor.

Tax ID #: 94-6002897
Address: 869 N. Cherry St.
Tulare, CA 93274

CASE NO. 17-13797

Chapter 9

DC No.: WW-5

Date: November 16, 2017
Time: 9:30 a.m.
Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 13
Judge: Honorable René Lastreto II

ORDER DIRECTING AND APPROVING FORM OF NOTICE OF COMMENCEMENT
AND SETTING DEADLINE FOR FILING OBJECTIONS TO CHAPTER 9 PETITION

At Fresno, in the Eastern District of California:

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RECEIVED

November 21, 2017
CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
0006172014

Approving Form of Notice of
Setting Deadline for Filing
Petition

1 Upon consideration of the Motion for Entry of an Order (1) Directing and
2 Approving Form of Notice; and (2) Setting Deadline for Filing Objections to Petition (the
3 " Motion"), filed by Tulare Local Healthcare District, dba Tulare Regional Medical Center
4 ("TRMC"), the Court finding that Notice of the Motion was reasonable and appropriate
5 under the circumstances, and the Court has determined that the relief requested in the
6 Motion is appropriate and in the best interests of the creditors and parties in interest in
7 this case,

8 IT IS HEREBY ORDERED THAT:

9 1. The form of Notice of the Commencement of Case (the "Notice"), attached
10 hereto as Exhibit "A", is approved;

11 2. The requirements of Section § 923 are satisfied by service of the Notice
12 by first class mail on the United States Trustee and all entities identified on the List of
13 Creditors filed by TRMC pursuant to Section § 924, and by publication of the Notice
14 once a week for at least three consecutive weeks in each of the *Visalia Times-Delta* and
15 *The Bond Buyer*;

16 3. The Clerk of the Court is directed to mail the Notice to all creditors listed
17 on TRMC's List of Creditors filed pursuant to Section 924;

18 4. As more particularly described in the Notice, the deadline for filing
19 objections to the Petition under Section § 921(d) is 5:00 p.m. Pacific time on January
20 11, 2018 (the "Objection Deadline"); and

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1 5. The Court will conduct a status conference on January 25, 2018 at 9:30
2 a.m. Pacific time, at which time the Court will consider setting other dates; and whether,
3 if no objection is filed, to enter the order for relief.
4

5 Approved as to Form:

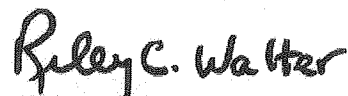
6 ORRICK, HERRINGTON & SUTCLIFFE

7 

8 Marc A. Levinson
9 Attorneys for Healthcare Conglomerate
Associates, LLC

10 Submitted by:

11 WALTER WILHELM LAW GROUP,
12 a Professional Corporation

13 

14 Riley C. Walter
15 Attorneys for Debtor,
16 Tulare Local Healthcare District, dba Tulare
Regional Medical Center
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25 Dated: Nov 22, 2017

By the Court

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27 René Lastreto II, Judge
28 United States Bankruptcy Court

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Address: 869 N. Cherry Street
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CASE NO. 17-13797

Chapter 9

**NOTICE OF COMMENCEMENT OF
CHAPTER 9 CASE**

TO ALL CREDITORS OF TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE
REGIONAL MEDICAL CENTER, AND TO PARTIES IN INTEREST.

PLEASE TAKE NOTICE THAT:

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EXHIBIT

Page 1 Of 4

NOTICE OF COMMENCEMENT OF
CHAPTER 9 CASE

00163050-gaa-11.21.2017

1 **COMMENCEMENT OF CHAPTER 9 CASE.** On September 30, 2017, Tulare
2 Local Healthcare District dba Tulare Regional Medical Center ("TRMC") commenced a
3 case under Chapter 9 of title 11 of the United States Code (the "Bankruptcy Code") in
4 the United States Bankruptcy Court for the Eastern District of California, Fresno Division
5 (the "Court"). The Chapter 9 case is pending before the Honorable René Lastreto II,
6 United States Bankruptcy Judge. All documents filed with the Court are available for
7 inspection via the PACER (Public Access to Court Electronic Records) system, which
8 may be accessed on a subscription basis at the following internet address:
9 www.caeb.uscourts.gov. In order to access PACER, parties will first need to register
10 as a user. For information regarding how to register for a PACER account, the costs
11 involved in accessing information, and other information, interested parties should visit
12 www.pacer.gov.

13 **AUTOMATIC STAY.** Pursuant to 11 U.S.C. §§ 362 and 922, the filing of TRMC's
14 Chapter 9 Petition operates as an automatic stay of actions against TRMC, including,
15 among other things, the enforcement of any judgment, any act to obtain property from
16 TRMC, any act to create, perfect, or enforce any lien against property of TRMC, any act
17 to collect, assess or recover a claim against TRMC, and the commencement or
18 continuation of any judicial, administrative, or any other action or proceeding against
19 TRMC or against an officer or director of TRMC that seeks to enforce a claim against
20 TRMC.

21 **PURPOSE OF THE CHAPTER 9 FILING.** Chapter 9 of the Bankruptcy Code
22 provides a means for a municipality, such as TRMC, that has encountered financial
23 difficulty to work with its creditors to adjust its debts. The primary purpose of Chapter 9
24 is to allow the municipality to continue its operations and its provision of services while it
25 adjusts or restructures creditor obligations. In a Chapter 9 case, the jurisdiction and
26 powers of the bankruptcy court are limited such that the Court may not interfere with
27 any of the political or governmental powers of TRMC, or TRMC's use or enjoyment of
28 any income-producing property. TRMC intends to propose a plan for the adjustment of

1 its debts. Future notice concerning any such plan will be provided to all known creditors.
2 During the bankruptcy case, TRMC will remain in possession and control of its property,
3 and will maintain its operations for the benefit of the public.

4 **DEADLINE FOR OBJECTIONS TO PETITION AND ENTRY OF AN ORDER**

5 **FOR RELIEF.** Objections to the Chapter 9 Petition may be filed by a creditor or party
6 in interest by no later than January 11, 2018. If you are an authorized user of the
7 Court's CM/ECF system, any such objection shall be filed via the Court's CM/ECF
8 system. If you are not an authorized user of the Court's CM/ECF system, a written
9 objection must be sent by means calculated to reach the Court no later than January
10 11, 2018 at the following address: The Clerk of the United States Bankruptcy Court for
11 the Eastern District of California, Fresno Division, 2500 Tulare Street, Fresno, California
12 93721. Any objection shall state the facts and legal authorities relied upon in support
13 thereof, and shall be served on or before the same date on the following parties: (1) the
14 United States Trustee's Office; (2) TRMC; (3) TRMC's District Counsel; (4) TRMC's
15 Chapter 9 counsel; (5) the creditors holding the 20 largest unsecured claims against
16 TRMC; (6) Wilmington Trust as Indenture Trustee and Paying Agent, of certain bond
17 indebtedness of TRMC; (7) Healthcare Conglomerate Associates, LLC; and (8) any
18 other party who has filed a request for special notice with the Court. The contact
19 information for such persons may be found on the List of Twenty Largest Creditors as
20 Amended on file with the Court prior to the publication of this Notice.

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1 **HEARING ON OBJECTIONS.** If no objection is timely filed, the filing of the
2 Petition shall be deemed an order for relief under Chapter 9 of the Bankruptcy Code,
3 and this notice shall be deemed notice of such order for relief. If a timely objection is
4 filed and served, a hearing will be held on January 25, 2018 at 9:30 a.m. at the United
5 States Bankruptcy Court for the Eastern District of California, Fresno Division,
6 Courtroom 13, 2500 Tulare Street, Fresno, California 93721. At such time, the Court
7 will consider setting other dates.

8 Dated: _____, 2017

WALTER WILHELM LAW GROUP,
a Professional Corporation

By: _____

Riley C. Walter, Attorneys for Debtor,
Tulare Local Healthcare District, dba Tulare
Regional Medical Center